

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Police Department– Mercy petition of Sri D.Venkaiah, ExPC 846, 13th Bn, APSP, Mancherial, Adilabad District, against the punishment of removal from service – Punishment modified – Orders – Issued.

HOME (SERVICES-II) DEPARTMENT

G.O.Ms.No. 45

Dated:5 -3 - 2012
Read the following:

- 1.Representation of Sri D.Venkaiah, ExPC 846, 13th Bn, APSP, Mancherial, Adilabad District, dt.21-2-2011, received through the M(Home) with No.6646/M(Home)/2011, dt.24-2-2011.
2. Govt.Memo.No.5779/Ser.II/A1/2011, dt.4-3-2011
3. From the DGP AP Hyd., Rc.No.268/E3/11, dt.20-5-2011

ORDER:

In the reference 1st read above, Sri D.Venkaiah ExPC 846, 13th Bn, APSP, Mancherial, Adilabad District, has requested the Government, to reinstate him into the service.

2. Sri D.Venkaiah, ExPC 846 of 13th Bn, APSP was removed from the service, under Rule 20 of the APCS(CC&A)Rules, 1991, for the following delinquency, vide Procs. dt.28-12-2003, of the Commandant, 13th Bn, APSP Bn, Mancherial, Adilabad District.

"Exhibited gross neglect of duty, indiscipline and irresponsible behaviour in having overstayed the Medical Leave granted from 18-2-2002 to 10-3-2002 for more than (21) days subsequently leading to desertion from the force."

3. In the reference 3rd read above, the Director General of Police, A.P., Hyderabad, has reported that the appeal petition submitted by Sri D. Venkaiah, ExPC 846 of 13th Bn, APSP, was already rejected by the DIG of Police-II, APSP Bns, Hyderabad, vide procs dtd.20-7-2004. The individual had later filed an O.A.No.2574/2004, in the Hon'ble APAT, Hyderabad. The Hon'ble APAT, Hyderabad had issued instructions to the Government to examine the case and issue appropriate orders. Accordingly, the Government examined the case and rejected it, vide Memo.No.16336/Legal.I/2002, dt.6-11-2004. Again the applicant filed another O.A.No.471/2005, and the Hon'ble APAT, Hyderabad, in its judgment, dt.31-10-2006, dismissed the case ordering that "the tribunal cannot show any indulgence in respect of imposition of punishment. The applicant has been rightly punished and there is no illegality". Further, the applicant filed Writ Petition No. 22738 of 2007 and WPMP 2747 of 2011, in the Hon'ble High Court of Andhra Pradesh, Hyderabad, but withdrew the above said W.P., on dtd. 7-2-2011. Further, the DGP, Andhra Pradesh, Hyderabad, has stated that the request of Sri D.Venkaiah, Ex.P.C. 846 of 13th Bn, APSP for reinstatement into service need not be considered.

4. After careful examination of the entire matter, with the records made available, Government hereby modify the penalty of Removal from service of Sri D.Venkaiah ExPC 846, 13th Bn, APSP, Mancherial, Adilabad District, to that of "withholding of his annual grade increment for two years without cumulative effect on future increments and pension", duly reinstating him into service. The period of absence and out of employment is treated as leave which he was entitled to, or EOL .

5. The Director General of Police, A.P., Hyderabad, is requested to take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJOYENDRA PYAL
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, A.P., Hyderabad
The individual concerned through D.G.P., AP., Hyderabad
Copy to:
The Accountant General of Andhra Pradesh, Hyderabad.
The Director of Treasuries & Accounts, A.P., Hyderabad.
The Commandant, 13th Bn, APSP, Mancherial, Adilabad District
SF/SC

// FORWARDED:: BY ORDER //

SECTION OFFICER